

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEITH WAYNE CANDLER,

Plaintiff,

v.

J.S. WOODFORD, et al.,

Defendants.

) No. C 04-5453 MMC (PR)

) **ORDER DENYING REQUEST FOR**
) **TRO OR PRELIMINARY**
) **INJUNCTION**

) (Docket Nos. 37 & 38)

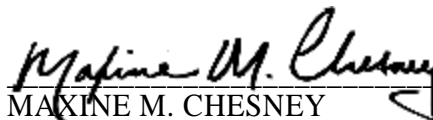
Keith Wayne Candler, proceeding pro se and currently incarcerated in Salinas Valley State Prison ("SVSP"), filed the above-titled civil rights action under 42 U.S.C. § 1983 against SVSP officials. The Court found cognizable plaintiff's claims of excessive force against various defendants. For the second time in this action, plaintiff seeks a temporary restraining order ("TRO") or preliminary injunction against numerous SVSP officials, seeking to prohibit them from using a certain restraint device on inmates. Plaintiff's first such request was denied because he had neither complied with the notice requirement of Rule 65(a)(1) of the Federal Rules of Civil Procedure, nor certified the reasons for his not providing such notice, as required by Rule 65(b) of the Federal Rules of Civil Procedure. Plaintiff's current request suffers from the same deficiencies. Accordingly, plaintiff's second request for a TRO or preliminary injunction is DENIED.

Plaintiff shall not continue to waste limited judicial resources with motions and requests that he has been informed are deficient.

This order terminates Docket Nos. 37 and 38.

IT IS SO ORDERED.

DATED: October 27, 2005


MAXINE M. CHESNEY
United States District Judge